

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9660 of 2022

Manav Vikas Shilp Kala Kendra through its Secretary Awdhesh Kumar Patel
aged about 52 years son of Late Wakil Singh resident of Village - Saidсарay
P.S. - Garkha, District - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Labour Resources Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Chairman National Child Labour Project (NCLP), District- Saran at Chapra.
3. The Asstt. Labour Commissioner, District - Saran at Chapra.
4. The Labour Superintendent-cum-Project Director, Child Labour Project Committee, Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Respondent/s : Mr. Raghwendra Kumar (Sc22)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 04-08-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

- (i) For issuance of a writ of Mandamus directing the Respondents to pay the admitted dues amounting to Rs.1316580/- (Thirteen Lacs Sixteen Thousand Five Hundred Eighty) to the petitioner for running and maintaining two Schools under National Child Labour Project allotted to the petitioner through memo No.8 dated 31-08-2007 with admissible interest.
- (ii) For issuance of other proper directions/orders/writ as your Lordships think fit and proper in the interest of Justice.

Disputed question of fact with regard to the amount allegedly claimed to be due and payable for execution of the work under the scheme termed as “National Child Labour Project” cannot be gone into in the instant writ petition filed under Article 226 of the Constitution of India.

Noticeably, the work was executed in the year 2007 and the petitioner’s claim stands refuted not only by the respondent but also by Three-Member Committee constituted pursuant to and in terms of direction issued by this Court. The claim stood rejected on 4th of January, 2019 and the instant petition was filed only on 1st of July, 2022.

As such, the present petition is disposed of reserving liberty to the petitioner to take recourse to such remedies, as are available in accordance with law.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/- Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.08.2022
Transmission Date	NA